
HOUSE BILL No. 1539

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-0.5; IC 16-18-2-110; IC 16-31; IC 34-30-69.7; IC 36-8-16-14; IC 36-8-16.5-50.

Synopsis: Certification of 911 operators. Requires 911 operators to be trained in accord with standards set by the emergency medical services commission and certified to provide emergency advice to callers. Requires public safety answering points to employ certified 911 operators. Allows the use of emergency telephone system fees to obtain and maintain the certification of 911 operators.

Effective: Upon passage; July 1, 2003.

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January 16, 2003, read first time and referred to Committee on Commerce and Economic Development.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1539

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-18-2-0.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 0.5. "911 operator", for purposes of IC 16-31, means**
4 **an individual employed by a public safety answering point as**
5 **described in IC 36-8-16.5-13 to receive incoming 911 calls, provide**
6 **emergency advice, and dispatch appropriate assistance from public**
7 **safety agencies.**
8 SECTION 2. IC 16-18-2-110 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 110. "Emergency
10 medical services", for purposes of IC 16-31, means the provision of
11 **emergency advice to 911 callers**, emergency ambulance services or
12 other services, including extrication and rescue services, utilized in
13 serving an individual's need for immediate medical care in order to
14 prevent loss of life or aggravation of physiological or psychological
15 illness or injury.
16 SECTION 3. IC 16-31-1-1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) The general



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assembly declares that the provision of emergency medical services is a matter of vital concern affecting the public health, safety, and welfare of the people of Indiana.

(b) It is the purpose of this article:

(1) to promote the establishment and maintenance of an effective system of emergency medical service, including the necessary equipment, personnel, and facilities to ensure that all emergency patients receive prompt and adequate medical care throughout the range of emergency conditions encountered;

(2) that the emergency medical services commission established under IC 16-31-2 shall cooperate with other agencies empowered to license persons engaged in the delivery of health care so as to coordinate the efforts of the commission and other agencies; ~~and~~

(3) to establish standards and requirements for the furnishing of emergency medical services by persons not licensed or regulated by other appropriate agencies; ~~and~~

(4) to establish standards and requirements for 911 operators to enable an operator to provide emergency advice to callers.

SECTION 4. IC 16-31-2-9, AS AMENDED BY P.L.93-2002, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. The commission shall establish the following:

(1) Standards for persons who provide emergency medical services and who are not licensed or regulated under IC 16-31-3.

(2) Training and certification standards for the use of automatic and semiautomatic defibrillators by first responders.

(3) Training and certification standards for the administration of antidotes, vaccines, and antibiotics to prepare for or respond to a terrorist or military attack.

(4) Training and certification standards for the administration of epinephrine through an auto-injector by:

(A) an emergency medical technician; or

(B) an advanced emergency medical technician.

(5) Training and certification standards to permit the use of antidote kits for the treatment of exposure to chemical agent VX (nerve agent) by advanced emergency medical technicians and emergency medical technicians who work for emergency medical service providers located in:

(A) a county having a population of more than eight thousand (8,000) but less than nine thousand (9,000);

(B) a county having a population of more than sixteen thousand seven hundred (16,700) but less than seventeen thousand (17,000);



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(C) a county having a population of more than seventeen thousand (17,000) but less than seventeen thousand five hundred (17,500);

(D) a county having a population of more than seventeen thousand five hundred (17,500) but less than eighteen thousand (18,000);

(E) a county having a population of more than thirty-six thousand (36,000) but less than thirty-six thousand seventy-five (36,075);

(F) a county having a population of more than thirty-seven thousand (37,000) but less than thirty-eight thousand (38,000); and

(G) a county having a population of more than one hundred five thousand (105,000) but less than one hundred ten thousand (110,000).

(6) Training and certification standards to allow 911 operators to provide emergency advice to callers.

SECTION 5. IC 16-31-6-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION, TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 5. A 911 operator who provides emergency advice to a caller is not liable for an act or omission in providing the advice if the advice is provided:**

(1) in connection with an emergency; and

(2) in good faith;

unless the act or omission constitutes negligence or willful misconduct. If a 911 operator is not liable for an act or omission, a person who has only an agency relationship with the 911 operator is also not liable for the act or omission.

SECTION 6. IC 34-30-2-69.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 69.7. IC 16-31-6-5 (concerning 911 operators who provide emergency advice).**

SECTION 7. IC 36-8-16-14, AS AMENDED BY P.L.156-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 14. The emergency telephone system fees shall be used only to pay for:**

(1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;

(2) the rates associated with the service suppliers' enhanced emergency telephone system network services;

(3) the personnel and training expenses of the emergency

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1 telephone system; and

2 (4) the lease, purchase, construction, or maintenance of voice and
3 data communications equipment, communications infrastructure,
4 or other information technology necessary to provide emergency
5 response services under authority of the unit imposing the fee.

6 The legislative body of the unit may appropriate money in the fund
7 only for such an expenditure.

8 SECTION 8. IC 36-8-16.5-50 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JANUARY 1, 2004]: **Sec. 50. (a) A 911 operator (as**
11 **defined in IC 16-18-2-0.5) must be certified under IC 16-31-3-1.**

12 **(b) Emergency telephone system fees under IC 36-8-16-14 may**
13 **be used to obtain and maintain the certification of 911 operators.**

14 SECTION 9. [EFFECTIVE UPON PASSAGE] **Notwithstanding**
15 **IC 16-31-2-9, as amended by this act, the emergency medical**
16 **services commission shall carry out the duties imposed by this act**
17 **under interim written guidelines approved by the commission.**

18 SECTION 10. **An emergency is declared for this act.**

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